

Rules and Regulations

Federal Register

Vol. 50, No. 69

Wednesday, April 10, 1985

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 85-321]

Mexican Fruit Fly; Deletion of Regulated Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule.

SUMMARY: This document affirms without change an interim rule published in the *Federal Register* on August 28, 1984, which amended the "Mexican Fruit Fly" quarantine and regulations by removing the previously regulated area in Los Angeles County, California from the list of regulated areas and by removing California from the list of States quarantined because of Mexican fruit fly, *Anastrepha ludens* (Loew). This action was taken because it had been determined that Mexican fruit fly no longer occurs in California. This effect of this action was to remove unnecessary restrictions on regulated articles moving interstate from the previously regulated area in California.

EFFECTIVE DATE: April 10, 1985.

FOR FURTHER INFORMATION CONTACT:

Robert G. Spaide, Assistant Staff Officer, Field Operations Support Staff, Plant Protection and Quarantine, APHIS, USDA, Federal Building, 6505 Belcrest Road, Room 663, Hyattsville, MD 20782, (301) 436-8295.

SUPPLEMENTARY INFORMATION:

A document published in the *Federal Register* on August 28, 1984, (49 FR 33991-33992) set forth an interim rule amending the Mexican fruit fly quarantine and regulations (7 CFR 301.64 *et seq.*) by removing the previously regulated area in Los Angeles

County, California from the list of regulated areas and by removing California from the list of States quarantined because of Mexican fruit fly, *Anastrepha ludens* (Loew). The quarantine and regulations restrict the interstate movement of regulated articles from regulated areas in quarantined States in order to prevent the artificial spread of the Mexican fruit fly.

The document published on August 28, 1984, stated that Los Angeles County, California, was being removed from the list of regulated areas, and California was being removed from the list of quarantined States in 7 CFR 301.64-3(c) because it has been determined, based on surveys conducted by the U.S. Department of Agriculture and State agencies of California, that the Mexican fruit fly no longer occurs in the previously regulated area in Los Angeles County, or anywhere else in California. The document concluded that there was no longer a basis for imposing restrictions on the interstate movement of regulated articles from anywhere in California.

The amendment became effective on the date of publication in order to relieve unnecessary restrictions on the interstate movement of regulated articles from California.

Comments were solicited for 60 days after publication of the amendment. No comments were received. The factual situation which was set forth in the document of August 28, 1984, still provides a basis for the amendment. Accordingly, it has been determined that the amendment should remain effective as published in the *Federal Register* on August 28, 1984.

Executive Order 12291 and Regulatory Flexibility Act

This amendment has been issued in conformance with Executive Order 12291 and has been determined to be not a "major rule". Based on information compiled by the Department, it has been determined that this amendment will not have a significant effect on the economy; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the

ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For this rulemaking action, the Office of Management and Budget has waived the review process required by Executive Order 12291.

The Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant impact on a substantial number of small entities. This amendment removed restrictions on the interstate movement of certain articles from a portion of Los Angeles County, California, approximately 33 square miles in size. There are approximately 30 out of 200 dealers at a local produce market which sell regulated articles interstate from this previously designated area. This compares with hundreds of small entities that move such articles interstate from nonaffected areas in United States. Further, because of certain routine procedures followed at the local produce market in the previously regulated area in Los Angeles County, California in handling regulated articles, little or no treatment of regulated articles was required prior to their movement interstate. For these reasons, this action is not expected to have significant effect on a substantial number of small entities.

List of Subjects in 7 CFR Part 301

Agricultural commodities, Mexican fruit fly, Plant diseases, Plant pests, Plants (Agriculture), Quarantine, Transportation.

PART 301—DOMESTIC QUARANTINE NOTICES

Accordingly, the interim rule published at 49 FR 33991-33992 on August 28, 1984, is adopted as a final rule.

Authority: 7 U.S.C. 150dd, 150ee, 161, 162; 7 CFR 2.17, 251 and 371.2(c).

Done at Washington, D.C. this 5th day of April 1985.

William F. Helms,

Acting Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 85-8601 Filed 4-9-85; 8:45 am]

BILLING CODE 3410-34-M

Office of the Secretary

7 CFR Part 3015

Department of Agriculture Programs and Activities Covered Under Executive Order 12372

AGENCY: Office of the Secretary, USDA.

ACTION: Rule related notice.

SUMMARY: The purpose of this Notice is to inform State and local governments and other interested USDA persons of programs and activities included within the scope of Executive Order 12372, "Intergovernmental Review of Federal Programs." A full understanding of the requirements of the Order may be gained by referring to the final rules published in 7 CFR 3015, Subpart V, at 48 FR 29100, dated June 24, 1983.

EFFECTIVE DATE: April 10, 1985.

FOR FURTHER INFORMATION CONTACT: Ms. Lyn Zimmerman, Supervisory Program Analyst, Office of Finance and Management, USDA, Room 2117-B, Auditors Building, 201 14th Street, SW., Washington, D.C. 20250. (Telephone (202) 382-1553).

SUPPLEMENTARY INFORMATION: The program listed below by Catalog of Federal Domestic Assistance Number was inadvertently omitted in the June 24, 1983, Federal Register listing of USDA programs included under Executive Order 12372 (48 FR 29114). This program is now being included under the scope of the Order and affects only the Boundary Waters Canoe Area in the State of Minnesota.

10.669 Accelerated Cooperative Assistance for Forest Programs on Certain Lands Adjacent to the Boundary Waters Canoe Area

If the State of Minnesota is interested in adding this program for review under the Order, the State Single Point of Contact should notify Ms. Lyn Zimmerman, Office of Finance and Management, Financial Management Division, USDA, Room 2117-B, Auditors Building, 201 14th Street SW., Washington, D.C. 20250. (Telephone (202) 382-1553).

Dated: April 4, 1985.

John J. Franke, Jr.,
Assistant Secretary for Administration

[FR Doc. 85-8550 Filed 4-9-85; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 84-NM-81-AD; Amdt. 39-5039]

Airworthiness Directives; Gates Learjet Models 23, 24, 25, 28, 29, 35, 36, 35A, 36A Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends an existing airworthiness directive (AD) applicable to certain Gates Learjet Models 23, 24, and 25 series airplanes. This amendment requires that each airplane's stall prevention system be adjusted to preclude the potential for a hazardous aerodynamic stall. This AD also provides for the installation of a handling qualities improvement kit as an alternate means of compliance.

DATES: Effective May 20, 1985. Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESSES: The applicable service information and modification kits may be obtained from Gates Learjet Corporation, P.O. Box 7707, Wichita, Kansas 67277. Service information may also be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at FAA, Central Region, Wichita Aircraft Certification Office, Room 100, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas.

FOR FURTHER INFORMATION CONTACT: Mr. Ben Sorensen, Aerospace Engineer, Wichita Aircraft Certification Office, ACE-160W, FAA, Central Region, Room 100, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone (319) 946-4432.

SUPPLEMENTARY INFORMATION: A proposal to amend § 39.13 of Part 39 of the Federal Aviation Regulations by amending Amendment 39-3932 (45 FR 65999; October 9, 1980), AD 80-19-11, was published in the Federal Register on January 4, 1985 (50 FR 478). The comment period closed February 15, 1985.

Interested persons have been afforded an opportunity to participate in the making of this amendment.

One comment was received. The commenter (the manufacturer) stated that since the proposal was published, the cost of the airplane modification kits has been revised as follows:

1. Parts:
—1 kit price = \$5,000

—2 kit price = \$5,000

—3 kit price = \$50;

2. Labor: 30 hours at \$38 per manhour.
3. Flight Check: \$500 (or \$200 per day plus expenses if the airplane is flown in the field).

Depending on the configuration of a particular airplane the correct modification kit would be either 84-5-1, 84-5-2 or 84-5-3. This analysis assumes that all affected airplanes will require the more expensive kit. Assuming the most expensive kit is installed at the factory, the total cost per airplane would be \$6,640.

The commenter also recommended that the time of compliance be revised to reflect an eighteen (18) month period after issuance of the AD. The FAA has determined that an 18-month compliance time will not compromise safety with respect to this rule, and the amendment has been changed accordingly.

It is estimated that 100 planes of U.S. registry will be affected by this AD. It will require approximately 30 manhours per airplane to accomplish the required installation; the average labor charge will be \$38 per hour. The modification kit will cost approximately \$5,000 per airplane. The loss associated with two days of down time is estimated to be \$1,000 per airplane. Based on these figures, the total cost impact of this AD is estimated to be \$764,000.

For the reasons discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under the Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic impact on a substantial number of small entities because few, if any, Gates Learjet Model 23, 24, or 25 series airplanes are operated by small entities. A final evaluation has been prepared for this action and has been placed in the regulatory docket. A copy may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

§ 39.13 [Amended]

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13), Amendment 39-3932 (45 FR 65999; October 9, 1980),

AD 80-19-11 is amended by adding a new paragraph (H), to read as follows:

(H) On or before October 1, 1986, accomplish the requirements of paragraphs 1. or 2., below, on Learjet Models 23, 24, 24A, 24B, 24B-A, 24D, 24D-A, 25, 25A, 25B, 25C, with unmodified wings, at an FAA certificated maintenance repair station, and insert in the appropriate sections of the Airplane Flight Manual (AFM) the permanent AFM revision pertaining to procedures and performance associated with Airplane Modification Kit (AMK) 83-4 or 84-5. The limitations and performance information required by paragraphs A)3., A)7., A)8., A)9., A)10., A)11., and A)12 of this AD are superseded by the AFM revision included with these kits.

1. Incorporate AMK 83-4 to improve airplane handling qualities and aerodynamic stall characteristics, or
2. Incorporate AMK 84-5 to make the stall prevention system (pusher) operation consistent with the airplane performance and limitations.

All persons affected by this proposal who have not already received these documents from the manufacturer may obtain copies upon request to the Gates Learjet Corporation, P.O. Box 7707, Wichita, Kansas, 67277. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at the FAA, Central Region, Room 100, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas.

This amendment becomes effective May 20, 1985.

[Secs. 313(a), 314(a), 601 through 610, and 1102 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89]

Issued in Seattle, Washington, on April 4, 1985.

Charles R. Foster,

Director, Northwest Mountain Region.

[FR Doc. 85-8596 Filed 4-9-85; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 84-AWA-13]

Alteration of VOR Federal Airways

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment redesignates segments of Federal Airways V-9, V-16, V-17, V-20, V-68 and V-71; revokes segments of V-13, V-16, V-20, V-66, V-68 and V-71; and establishes new segments of V-13, V-202 and V-507 to enhance the traffic flow within the Albuquerque, Fort Worth, Houston and

Memphis Air Route Traffic Control Centers' (ARTCC) areas.

EFFECTIVE DATE: 0901 GMT, June 6, 1985.

FOR FURTHER INFORMATION CONTACT: Mr. Brent A. Fernald, Airspace and Air Traffic Rules Branch (ATO-230), Airspace-Rules and Aeronautical Information Division, Air Traffic Operations Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8626.

SUPPLEMENTARY INFORMATION:

History

On February 14, 1985, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to renumber V-9E, V-9W, V-16S, V-17E, V-17W, V-20N, V-20S, a segment of V-68S and V-71W; revoke V-13W, V-16N, V-66N, a segment of V-68S, V-71E, and establish new segments of V-13, V-202 and V-507, to enhance the traffic flow within their respective ARTCC areas (50 FR 6193). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.123 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6A dated January 2, 1985.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations renumbers V-9E between New Orleans, LA, and Greenwood, MS; renumbers V-9W between McComb, MS, and Greenwood, MS; renumbers V-16S between Tucson, AZ, and Cochise, AZ, and Wink, TX, and Big Spring, TX; renumbers V-17E between Cotulla, TX, and San Antonio, TX; renumbers V-17W between McAllen, TX, and Laredo, TX, and San Antonio, TX, and Austin, TX, and Oklahoma City, OK, and Gage, OK; renumbers V-20N between Beaumont, TX, and Lafayette, LA, and New Orleans, LA and Semmes, AL; renumbers V-20S between Lafayette, LA, and New Orleans, LA, and Semmes, AL, and Monroe, AL; renumbers V-68S between San Angelo, TX, and Junction, TX; renumbers V-71W between Monroe, LA, and Natchez, MS; revokes V-13W between Shreveport, LA, and Texarkana, AR; revokes V-16N between Columbus, NM, and El Paso, TX; revokes V-66N between Columbus, NM, and El Paso, TX; revokes V-68S between Hobbs, NM, and San Antonio, TX; revokes V-17E between Baton

Rouge, LA, and Monroe, LA; establishes new segments of V-13 from Laredo, TX, to McAllen, TX; V-202 from Tucson, AZ, Cochise, AZ, and V-507 from Oklahoma City, OK, to Gage, OK, thereby enhancing the traffic flow within their respective ARTCC areas.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

VOR Federal airways, Aviation safety.

PART 71—[AMENDED]

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, as follows:

V-9 [Amended]

By removing the words "McComb, MS, including an E alternate from New Orleans to McComb via Picayune, MS; Jackson, MS, including an E alternate and also a W alternate via INT McComb 348° and Jackson 199° radials; Greenwood, MS, including an E alternate and also a W alternate;" and by substituting the words, "McComb, MS; Jackson, MS; Greenwood, MS;"

V-555 [New]

From New Orleans, LA, via Picayune, MS; McComb, MS; INT McComb 019° and Jackson, MS, 169° radials; Jackson; INT Jackson 010° and Greenwood, MS, 159° radials; to Greenwood.

V-557 [New]

From McComb, MS, via INT McComb 348° and Jackson, MS, 199° radials; Jackson; INT Jackson 340° and Greenwood, MS, 159° radials; to Greenwood.

V-13 [Revised]

From Laredo, TX, via INT Laredo 156° and McAllen, TX, 306° radials; McAllen; Harlingen, TX; INT Harlingen 033° and Corpus Christi, TX, 178° radials; Corpus Christi; INT Corpus Christi 039° and Palacios, TX, 241° radials; Palacios, Humble, TX; Lufkin, TX; Shreveport, LA; Texarkana, AR;